



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Brian J. Brown, Michael L. Davis**
Application No.: **09/599674**
Filed: **June 22, 2000**
For: **Improved Longitudinally Flexible Expandable Stent**
Examiner: **Paul Prebilic**
Group Art Unit: **3738**

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Docket No.: S63.2N-9216-US

Amendment

Sir:

In response to the Office Action dated December 30, 2002, please amend the above-identified application as follows:

In The Specification:

Please replace the paragraph beginning at page 3, line 21, with the following paragraph:

D¹ Turning to the Figures, Figure 1 and Figure 2 show a fragmentary flat view of an unexpanded stent configuration and the actual tubular stent (unexpanded), respectively. That is, the stent is shown for clarity in Figure 1 in the flat and may be made from a flat pattern 10 (Figure 1) which is formed into a tubular shape by rolling the pattern so as to bring edges 12 and 14 together (Figure 1). The edges may then be joined as by welding or the like to provide a configuration such as that shown in Figure 2.

In The Claims:

Please replace claims 9 and 18 with the following amended claims:

D² 9. (Twice Amended) A cylindrical stent formed from a single piece of metal, the stent comprising a multiplicity of sets of strut members with each set of strut members forming a closed structure which extends about the periphery of the stent, the closed structure comprised of interconnected strut members, each strut member connected at a first end to an adjacent strut

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TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:
**6 page Amendment; 2 page Version with Markings to Show Changes Made; 29 page Claims
 Related Copending Applications; VAS Transmittal Letter; and Postcard.**
2. With respect to fees:
 - ☒ No additional fee is required.
 - ☐ Attached is check(s) in the amount of \$
 - ☐ Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
 This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

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Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 28, 2003

By: _____

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Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as EXPRESS MAIL, Label No. EV251483740US, addressed to Box Non-Fee Amendment, Commissioner for Patents, Washington D.C. 20231, on March 28, 2003.

Rebecca M. Painschab
 Rebecca M. Painschab